

**CONSENT AGENDA
November 24, 2014**

A. APPROVAL OF MINUTES

- 1. SUBJECT: APPROVAL OF MINUTES DATED JULY 28, AUGUST 4, AUGUST 11, AUGUST 25, AND SEPTEMBER 2, 2014**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB C.

B. SCHEDULE PUBLIC HEARING

- 1. SUBJECT: SCHEDULE PUBLIC HEARING – TOWN OF CHRISTIANSBURG - PUBLIC ACCESS EASEMENT**

**R-FY-15-
A RESOLUTION SCHEDULING A PUBLIC HEARING ON
THE TOWN OF CHRISTIANSBURG’S REQUEST TO THE BOARD OF
SUPERVISORS FOR A VARIABLE WIDTH PERMANENT PEDESTRIAN ACCESS
EASEMENT ON COUNTY PROPERTY BESIDE THE OLD COURTHOUSE**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a public hearing for Monday, December 15, 2014, at 7:15 p.m. or as soon thereafter in the Board Chambers at the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the Town of Christiansburg’s request for a variable width permanent pedestrian access easement across a portion County property, Tax Parcel # 527(A)-84, the former Crowgey property, beside the old Courthouse.

ISSUE/PURPOSE: Schedule a Public Hearing.

JUSTIFICATION: The Town of Christiansburg is requesting a variable width permanent pedestrian access easement on County property in order to replace the public sidewalk on the East Main Street side of the old Courthouse near the former Crowgey property. See TAB D.

C. APPROPRIATIONS AND TRANSFERS

1. SUBJECT: SHERIFF REQUEST FOR FUNDING FOR ADDITIONAL BODY CAMERAS, PATROL SCOUT SOFTWARE AND PURCHASE OF MOBILE DATA TERMINALS

**A-FY-15-
SHERIFF APPROPRIATION
FOR ADDITIONAL BODY CAMERAS, PATROL SCOUT
SOFTWARE AND PURCHASE OF MOBILE DATA TERMINALS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015 for the function and in the amount as follows:

| | | |
|-----|------------------------|-----------------|
| 320 | Sheriff- County | \$66,780 |
| 140 | Information Technology | <u>\$40,000</u> |
| | | 106,780 |

The source of the funds for the foregoing appropriation is as follows:

| | |
|------------------------|-------------------------------------|
| <u>Revenue Account</u> | |
| 451203 | Undesignated Fund Balance \$106,780 |

Said resolution appropriates undesignated fund balance to purchase 70 additional body cameras, the Patrol Scout software system and 8-9 Mobile Data Terminals (MDT) replacements for the Sheriff’s Office.

ISSUE/PURPOSE: Additional body cameras, remote access software and MDT replacements for the Sheriff’s Office.

JUSTIFICATION: At the November 12, 2014 meeting, the Board of Supervisors directed staff to prepare a resolution appropriating funds for the following three items:

Added Body Cameras: \$28,280

In addition to the 52 body cameras currently funded for deputies in the Sheriff Office, this resolution appropriates funding for 70 additional cameras for the following divisions:

| | |
|-----------------------------|----|
| <u>Added Cameras</u> | |
| Civil and Court Security | 27 |
| Jail | 30 |
| Field Division | 5 |
| Investigations | 3 |
| Administration | 5 |
| Total | 70 |

With this resolution, 122 body cameras would be provided to deputies in the Sheriff's Office.

Patrol Scout Remote Access System \$38,500

Provides remote access software for 40 in-car cameras.

MDT Replacements \$40,000

MDT's were initially purchased with grant funding and 46% of the machines are six years old. This resolution provides for the replacement of 8-9 machines.

2. SUBJECT: SHERIFF – RECOVERED COSTS

**A-FY-15-
SHERIFF
RECOVERED COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

| | |
|------------------------|-----------------|
| 310 Sheriff Comp Board | \$ 1,935 |
| 320 Sheriff County | \$31,301 |
| 321 Sheriff County | <u>\$ 5,113</u> |
| Total | \$38,349 |

The sources of the funds for the foregoing appropriation are as follows:

| | | |
|------------------------|-----------------|-----------------|
| <u>Revenue Account</u> | | |
| 419108 | Recovered Costs | \$33,236 |
| 419104 | Confiscations | <u>\$ 5,113</u> |
| Total | | \$38,349 |

Said resolution appropriates recovered costs and monies received from the Department of Criminal Justice Services Asset Forfeitures.

ISSUE/PURPOSE: Appropriate recovered costs for the Sheriff's Department.

JUSTIFICATION: This resolution appropriates recovered cost revenue for reimbursements for:

| | |
|------------------------|-----------------|
| Extraditions | \$ 1,935 |
| National Forest Patrol | \$ 1,700 |
| DEA | \$ 1,738 |
| Security Services | \$22,212 |
| US Marshals | \$ 4,151 |
| Pro Com Lease Payments | <u>\$ 1,500</u> |
| Total | \$33,236 |

This resolution also appropriates \$5,113 in monies seized in cases investigated by the Montgomery County Sheriff's Office and/or the Drug Task Force. These funds must be used for law enforcement purposes only and may not be used to supplant existing funding.

**3. SUBJECT: COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM**

**A-FY-15-
COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

| | |
|-----------------------------|---------|
| 200 Commonwealth's Attorney | \$7,057 |
|-----------------------------|---------|

The source of the funds for the foregoing appropriation is as follows

| | |
|------------------------|---------|
| <u>Revenue Account</u> | |
| 419104 Confiscations | \$7,057 |

Said resolution appropriates monies received as part of the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

ISSUE/PURPOSE: Appropriate Forfeited Asset Sharing Program funds.

JUSTIFICATION: This money was seized from cases investigated by the Montgomery County Drug Task Force and prosecuted by the Commonwealth's Attorney's Office as a participant of the Department of Criminal Justice Services' Forfeited Asset Sharing program. These funds must be used for law

enforcement purposes only and may not be used to supplant existing funding.

4. SUBJECT: ECONOMIC DEVELOPMENT AUTHORITY – REIMBURSEMENT

**A-FY-15-
ECONOMIC DEVELOPMENT AUTHORITY
REIMBURSEMENT**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

| | | |
|--------|-------------------------------------|----------|
| 451209 | Transfer to County Capital Projects | \$58,000 |
|--------|-------------------------------------|----------|

The source of funds for the foregoing appropriation is as follows:

| | | |
|--------|---------------------------|----------|
| 451203 | Undesignated Fund Balance | \$58,000 |
|--------|---------------------------|----------|

BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015 for the function and in the amount as follows:

| | | |
|-----|---------------------------------------|----------|
| 810 | Economic Development Capital Projects | \$58,000 |
|-----|---------------------------------------|----------|

The source of funds for the foregoing appropriation is as follows:

| | | |
|--------|----------------------------|----------|
| 451100 | Transfer from General Fund | \$58,000 |
|--------|----------------------------|----------|

Said resolution appropriates funds from Fund Balance to County Capital projects to cover the costs of reimbursing the Economic Development Authority (EDA) for expenses associated with the Modea's Termination Agreement.

ISSUE/PURPOSE: Reimbursement of Funds to the EDA.

JUSTIFICATION: This resolution appropriates \$58,000 from the undesignated fund balance to County Capital projects to cover the cost of reimbursing the Economic Development Authority (EDA) for expenses associated with the Modea's Termination Agreement.

D. POLICY

1. SUBJECT: AMEND THE FIRE AND RESCUE VEHICLE POLICY

**R-FY-15-
AMEND THE FIRE AND RESCUE VEHICLE POLICY**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Montgomery County Fire and Rescue Vehicle Policy adopted on October 22, 1990 is hereby amended and reinstated as follows:

1. Emergency personnel will, at all times, drive and operate emergency vehicles in a manner consistent with safety and due regard for the welfare of the public
2. Personnel driving emergency vehicles will be ~~24~~ **at least 18** years of age, possess a valid operator's license issued by the Division of Motor Vehicles, State of Virginia, and will know the provisions of the Vehicle Code and be familiar with the other pertinent information regarding their privileges and responsibilities as operators of fire and rescue department automotive equipment.
3. *Rescue personnel between 18-21 years of age (having taken and passed an approved EVOC Class) may drive at the discretion of a senior member or officer if deemed necessary for the department to provide care or service. When possible 18-21 year old drivers should not respond using lights and sirens unless absolutely the last resort and only if they hold a valid EVC card. If personnel are themselves uncomfortable with driving they shall have the final say. 18-21 year old personnel should be allowed to drive from the hospital to the station to develop their driving skills under the supervision of an approved driver.*
4. *Fire Department personnel between 18-21 years of age (having taken and passed an approved EVOC Class) may drive at the discretion of a senior member or officer if deemed necessary for the department to provide care or service. When possible 18-21 year old drivers should not respond using lights and sirens unless absolutely the last resort and only if they hold a valid EVOC card. If personnel are themselves uncomfortable with driving they shall have the final say. 18-21 year old personnel should be trained in the operation and driving of a fire apparatus by skilled drivers prior to being allowed to respond in emergency situations. Anything in these rules shall not conflict with department procedures for clearing a driver/operator for certain apparatus.*

- 3.5. All personnel who wish to operate a County owned or insured vehicle must submit a copy of their driver's licenses and submit to a Division of Motor Vehicle verification of their driving record, which will remain on file in the County Administrator's Office and at each station in the event of an accident or question surrounding the operation of a motor vehicle arises. The DMV checks will be made by Montgomery County at no cost to the member.
- 4.6. All new drivers who wish to operate a fire or rescue vehicle shall be fully in-serviced in its operation and shall be certified by the department chief.
- 5.7. Operators of Montgomery County emergency vehicles shall be a member of the fire or rescue department or operating on a mutual aid request.
- 6.8. All fire vehicle operators must know pump operations, maintenance procedures and utilization of that vehicle and control of the apparatus and vehicles on and off the scene.
- 7.9. All personnel shall wear seat belts and no one shall ride in any position on an emergency vehicle without a seat and seat belt being provided for that riding position unless exempted for one of the following two reasons: (1) the rescue squad member attending the patient in the patient compartment of the ambulance is providing care to a patient, or (2) firefighters may temporarily release the seat belt in order to put on a breathing apparatus.
- 8.10. Riding on tailboards, hose beds, side steps or any other non-protected area is strictly prohibited.
- 9.11. When operating vehicles for reasons other than responding to calls, the driver shall drive defensively and observe all traffic laws.
- 10.12. At all times, the driver shall operate the vehicle within speed limitations so that the vehicle may be safely controlled at all times and controlled in the event of emergency situations such as vehicles stopping in front of you, vehicles turning in front of you, etc.
- 11.13. Emergency vehicles shall be brought to a top or almost stop when the vehicle approaches a stop sign or red stop sign. Vehicles may then proceed through the intersection when it is safe to do so. At other intersections extreme caution will be exercised and the vehicle brought to a complete stop if necessary.
- 12.14. An emergency vehicle that is approaching a school bus on a two lane highway or street that is taking on or unloading children and displaying flashing lights, will come to a complete stop and will not proceed until such time as the flashing red lights are turned off by the school bus driver. Speed limits shall be complied with in school zones while flashing lights are on or crossing guards are present.

- ~~13.15~~ Emergency vehicles will be operated as emergency vehicles with all warning devices operating continuously as provided by law. Emergency warning lights and headlights will be illuminated at all hours of the day or night while responding to calls and as necessary when working at emergencies. Particular attention should be given to operating the siren on a fluctuating sound rather than a consistent sound. Sirens will be used at full capacity when proceeding through controlled intersections or while passing traffic. Exceptions may be passing of traffic on the right side of multi-lane highways. In response to calls, no emergency vehicle shall pass another emergency vehicle unless it is delayed or disabled or radio approval is given by the lead unit. Racing with emergency vehicles at any time is strictly prohibited.
- ~~14.16~~. It shall be the driver's responsibility to ensure that the area behind the vehicle is clear before backing the vehicle. The driver should have a guide in place to direct the vehicle in a safe manner.
- ~~15.17~~. During emergency response, use of any tobacco products such as smoking, chewing, and dipping of snuff, and drinking or eating of food is prohibited by all personnel responding to an emergency call in a county vehicle.
- ~~16.18~~. Persons riding jump seats shall remain seated and have safety belts fastened at all times while the vehicle is in motion. Personnel shall also not step on or from any emergency vehicle until it is at a complete stop.
- ~~17.19~~. Vehicles will not leave on emergency calls until all personnel are seated and seat belted into riding position.
- ~~18.20~~. Personnel under the influence of alcohol or other mind altering substances shall be prohibited from operating an emergency vehicle and, responding to or operating at emergency incidents.
- ~~19.21~~. Failure to comply with any section of this procedure shall lead to disciplinary action, up to and including the removal of the member as an active member of the fire or rescue unit.
- ~~20.22~~. All personnel shall abide by all applicable federal, state and local laws while in or operating emergency vehicles.

*Deletions are denoted by ~~strikethrough~~ and additions are denoted in ***bold Italic***

ISSUE/PURPOSE: Amend the Montgomery County Fire and Rescue Vehicle Policy by changing the age requirement for operating an emergency vehicle from 21 years to 18 years.

JUSTIFICATION:

These changes were requested by the Fire and Rescue Commission. The primary concern for the changes relates to the rescue squads who have a greater call volume than fire and are often in need of drivers to cover their calls. The Emergency Services Coordinator consulted with the County's insurance carrier prior to submitting this request from the Fire and Rescue Commission.